

EXIT INTERVIEW

RECEIVED
 JAN 12 2017
 COOK COUNTY
 MERIT BOARD

IMMEDIATELY UPON COMPLETION
 RETURN TO: DEPT. OF RISK MANAGEMENT
 INSURANCE OFFICE
 ROOM 1072 - COUNTY BLDG
 INTEROFFICE - 008

Employee Name Rogelio Valdez Today's Date 1-4-17
 Department 231 Employee # 730896 Social Security # [REDACTED]
 Job Title Police Officer Date of Hire 5-29-2011
 Last Day Worked 5-24-16 Last Day Paid 5-26-16
 Rate of Pay 38.245 Vacation Pay 63.82 / 1.0
 Employment Status: (check one) ☒ Full Time ☐ Part Time
 (check one) ☐ Permanent ☒ Probationary

Would you Rehire Employee? ☐ Y ☐ N
 COBRA Information Issued ☒ Y ☐ N (attach copy)
 Benefits Termination Information Issued? ☐ Y ☐ N
 Is Employee Transferring to another Dept. in the County? ☐ Y ☐ N What Dept.? _____

REASON FOR TERMINATION**VOLUNTARY RESIGNATION**Effective Date JAN 17

- ☐ 1 To Attend School
☐ 2 Illness (incl. Family members)
 a) was LOA requested ☐ Y ☐ N
 b) Dr.'s Statement ☐ Y ☐ N
☐ 3 No Child Care
☐ 4 Dissatisfaction with Job
 (Hours, Pay, Working Conditions,
 Personality Conflicts) **
☐ 5 Relocation
☐ 6 Pregnancy - LOA requested?
 ☐ Y ☐ N
☐ 7 Other Employment
 Note Where and When, if known:
☐ 8 Retired
☐ 9 Unable to return from LOA
☒ 10 Other **

DISCHARGED

Effective Date _____

- ☐ 11 Violation of Known Rules
 a) Absenteeism (Last Day Absent)
 b) Tardiness (Last Known Tardy)
 c) Absent 3 consecutive days
 No Call (Job Abandonment)
 d) Inability to do job (Poor
 Work Performance Attitude)
 e) Insubordination **
 f) Under Influence of Intoxicants
 or Drugs Referred to EAP?
 ☐ Y ☐ N
 g) Misconduct **
 h) Allowed to resign in lieu of discharge
☐ 12 Layoff

**** EXPLANATION REQUIRED**

EXPLAIN IN DETAIL - REASON FOR TERMINATION (BE SPECIFIC)

Resigned - Turned in all credentials

Jessica White
 Interviewer/ Supervisor

Employee

Dept. - Please keep a copy in your file and forward one to Risk Management as soon as possible

1-4-17

Date

JAN 17

Date

White: Insurance Department Copy Yellow: Department Copy Pink: Employee Copy

COOK COUNTY
SHERIFF'S MERIT BOARD

IN THE MATTER OF:

**POLICE OFFICER
ROGELIO R. VALDEZ, JR.**

EMPLOYEE # 730896
STAR # 258

DOCKET NO.

1901

COMPLAINT

NOW COMES THOMAS J. DART, Sheriff of Cook County, State of Illinois, and complains of and files written charges for cause against Police Officer Rogelio R. Valdez, Jr. ("RESPONDENT"), pursuant to 55 ILCS 5/3-7011 & 7012. In support thereof, the Sheriff states as follows:

1. That on May 29, 2001, the RESPONDENT was appointed a Correctional Officer.
2. That on April 20, 2003, the RESPONDENT was appointed a Police Officer.
3. That on August 30, 2007, the RESPONDENT was assigned to the Gangs Crime Unit of the Cook County Sheriff's Police Department ("CCSPD") at District 2 – Skokie Courthouse, located at 5600 Old Orchard Road, Skokie, Illinois 60076.
4. That on May 2, 2014, the RESPONDENT was assigned to Civil Process Clerical at the Richard J. Daley Center, located at 50 W. Washington, Chicago, Illinois 60602.

5. That on April 18, 2014, RESPONDENT was given a lawful and direct order by CCSPD Sergeant John Olander ("Sgt. Olander") and CCSPD Lieutenant Matthew Rafferty ("Lt. Rafferty") to work the gang desk at the Skokie Courthouse on April 20, 2014 for safety reasons.
6. That on April 20, 2014, RESPONDENT was assigned to work on the CCSPD North Gang Team on the 1500 – 2300 hour shift at the Skokie Courthouse. Specifically, RESPONDENT was assigned to desk duty on April 20, 2014 for safety reasons.
7. That on April 20, 2014, RESPONDENT was insubordinate when he disobeyed a lawful and direct order from supervisors when RESPONDENT failed to remain at the gang desk in the CCSPD Skokie Gang Unit office and, without authorization or permission, went out in the field and conducted two (2) controlled drug buys from a target seller in Melrose Park using a Confidential Informant ("CI") to obtain a search warrant of the target's residence.
8. That a CCSPD Gang Crimes/Narcotics Unit S.O.I. Advisement and Requirement Agreement acknowledges the CI was signed up as a confidential informant for the CCSPD by RESPONDENT on April 13, 2014.
9. That on April 20, 2014, RESPONDENT falsely reported to his partner, CCSPD Police Officer Larry Rivlin ("PO Rivlin"), that he talked to Lt. Rafferty and was approved to work the street on April 20, 2014.
10. That on April 20, 2014, RESPONDENT and PO Rivlin conducted two (2) controlled drug buys from the target seller in Melrose Park without notification to the CCSPD, the Communications Center or their supervisors.

11. That on April 20, 2014, RESPONDENT and PO Rivlin conducted two (2) controlled drug buys from a target seller in Melrose Park without another officer or supervisor present.
12. That on April 20, 2014, RESPONDENT and PO Rivlin lost sight of the CI for approximately eleven (11) minutes prior to the first controlled drug purchase.
13. That on April 20, 2014, RESPONDENT and PO Rivlin lost sight of the CI for approximately nine (9) minutes after the CI made the first controlled drug purchase.
14. That on April 20, 2014, RESPONDENT and PO Rivlin lost sight of the CI for approximately eight (8) minutes prior the second controlled drug purchase.
15. That on April 20, 2014, RESPONDENT and PO Rivlin lost sight of the CI for approximately eleven (11) minutes after the CI made the second controlled drug purchase.
16. That on April 20, 2014, RESPONDENT submitted a false Timekeeping/Attendance/Overtime Report requesting to be compensated for one (1) hour of overtime for overtime hours worked from 2300 hours to 2400 hours on April 20, 2014.
17. That on April 21, 2014, RESPONDENT drafted and submitted an affidavit to Assistant State's Attorney Michael Hogan ("ASA Hogan") for approval to obtain a search warrant with regards to the target's residence.
18. That on April 21, 2014, RESPONDENT falsely reported in the affidavit that RESPONDENT and PO Rivlin searched the CI and his/her vehicle prior to the drug purchases on April 20, 2014.
19. That on April 21, 2014, RESPONDENT also reported in the affidavit that the CI was given funds to make the two (2) drug purchases on April 20, 2014.

20. That on April 21, 2014, RESPONDENT falsely reported in the affidavit that RESPONDENT and PO Rivlin followed the CI to the target's residence on April 20, 2014.
21. That on April 21, 2014, RESPONDENT falsely reported in the affidavit that RESPONDENT and PO Rivlin observed the CI enter and exit the target's apartment in Melrose Park on April 20, 2014.
22. That on April 21, 2014, RESPONDENT falsely reported in the affidavit that the CI was under observation by RESPONDENT the entire time on April 20, 2014.
23. That on April 21, 2014, RESPONDENT falsely reported in the affidavit that the CI related that he/she went to the second floor apartment and was allowed into the apartment by the target on April 20, 2014.
24. That on April 21, 2014, RESPONDENT falsely reported in the affidavit that the CI stated that he/she and the target went to the kitchen area where the CI gave the target United States Currency in exchange for bags of cannabis on April 20, 2014.
25. That on April 21, 2014, as a result of RESPONDENT'S affidavit, Circuit Court of Cook County Judge L. Edidin issued a search warrant for the target and the target's residence in Melrose Park to seize cannabis and any illegal narcotics substances and all instruments, any and all electronic equipment articles/devices, lockboxes and safes and things used in the manufacture, storage, distribution, and possession of cannabis or any controlled substances, to include paraphernalia, scales, United States Currency, any and all records/documents written that relate to Narcotics transactions and all documents and articles relating proof of residency, and all indicia thereof, which have been used in the

commission of or which constitutes evidence of the offense of Possession of Cannabis, Possession of a Controlled Substance or Unlawful Use of a Weapon.

26. That on April 21, 2014, RESPONDENT drafted and submitted two (2) CCSPD Supplementary Reports, which reflect that he conducted surveillance on the CI's purchase of 2.5 grams of cannabis from the target on April 20, 2014 at the target's residence in Melrose Park, Illinois.
27. That on April 21, 2014, RESPONDENT falsely reported in the two (2) CCSPD Supplementary Reports that the CI entered the target's apartment to complete the two (2) controlled drug buys on April 20, 2014.
28. That on April 22, 2014, PO Rivlin executed the search warrant and participated in the search of the target's residence. Subsequently, the target was arrested as a result of evidence found during the execution of the search warrant.
29. That on April 28, 2014, RESPONDENT falsely reported to CCSPD Inspector Theodore Stajura ("Inspector Stajura") that he did not know the CI's name because the CI involved in the two (2) controlled drug buys on April 20, 2014 was PO Rivlin's CI.
30. That on April 28, 2014, RESPONDENT falsely reported to Inspector Stajura that the CI contacted PO Rivlin on April 20, 2014 and not RESPONDENT.
31. That on April 28, 2014, RESPONDENT falsely reported to Inspector Stajura that PO Rivlin contacted him on April 20, 2014 to ask RESPONDENT to assist PO Rivlin with a controlled drug buy.
32. That RESPONDENT was subpoenaed twice by Assistant State's Attorney Brittney Burns ("ASA Burns") to appear in court in regard to the criminal case against the target and RESPONDENT failed to appear in court to testify.

33. That the criminal case against the target was *Nolle prosequi* because ASA Burns did not have a witness to testify in court.
34. That on May 6, 2014, Sgt. Olander searched RESPONDENT'S desk at the Skokie gang office and located, photographed and inventoried the following items as evidence: cocaine and marijuana; drug paraphernalia; and forty nine (49) identification cards from citizens.
35. That RESPONDENT failed to record in a Department log and secure the cocaine and marijuana; drug paraphernalia; and the forty nine (49) identification cards from citizens that were found in RESPONDENT'S work desk in accordance with CCSO policies and procedures.
36. That on May 15, 2014, RESPONDENT was interviewed by FBI Special Agents and RESPONDENT stated that on both controlled drug buys on April 20, 2014, the CI purchased the drugs on the street and not in the target's apartment as stated in the affidavit for the search warrant.
37. That on May 15, 2014, RESPONDENT stated to FBI Special Agents that he and PO Rivlin did not search the CI before or after the two drug buys on April 20, 2014.
38. That on May 15, 2014, RESPONDENT stated to FBI Special Agents that he lied on the search warrant affidavit for the search warrant on the target's residence with regard to the location of the drug buys and whether they searched the CI on April 20, 2014.
39. That on May 15, 2014, RESPONDENT stated to FBI Special Agents that he understood it was a big deal to lie on a search warrant affidavit.

40. That on May 15, 2014, RESPONDENT stated to FBI Special Agents that he wrote the search warrant affidavit with assistance from PO Rivlin and that PO Rivlin reviewed the affidavit on April 21, 2014.
41. That on May 15, 2014, RESPONDENT stated to FBI Special Agents that PO Rivlin saw that the drugs were purchased in the CI's car and not in the target's residence and that PO Rivlin knew the CI did not enter the target's residence on April 20, 2014.
42. That on May 15, 2014, RESPONDENT admitted to FBI Special Agents that this was not the first time he had lied on an affidavit but declined to provide details about specific incidents in which he had lied in affidavits.
43. That on May 15, 2014, RESPONDENT was asked for an explanation about the identifications cards found in RESPONDENT'S desk and RESPONDENT stated to FBI Special Agents that they were IDs he had confiscated over the years and admitted that the individuals he took the IDs from were not always arrested and sometimes he had no legitimate reason for seizing the IDs.
44. That on May 15, 2014, RESPONDENT was asked about the drugs that were found in RESPONDENT'S desk and RESPONDENT stated to FBI Special Agents that he had taken the drugs off of people he had arrested or come in contact with on the street and that he did not remember the drugs were in his desk. Further, RESPONDENT stated to FBI Special Agents that he should have inventoried the drugs for destruction.
45. That on May 15, 2014, RESPONDENT stated to FBI Special Agents, without being asked, that he did not plant drugs on suspects.
46. That on May 15, 2014, RESPONDENT stated to FBI Special Agents that on one occasion he saw PO Rivlin's brother Paul Rivlin's photograph and identifying

information in a Cook County "gang book" as a known gang member. Further, RESPONDENT stated that he ripped Paul Rivlin's photograph out of the gang book so others would not see Paul Rivlin's photograph.

47. That on October 28, 2014, the CI testified under oath to a Cook County Grand Jury that the drug transactions on April 20, 2014 were both observed by RESPONDENT and PO Rivlin.
48. That on October 28, 2014, the CI testified under oath to a Cook County Grand Jury that neither RESPONDENT nor PO Rivlin searched him/her or his/her vehicle prior to the controlled drug buys on April 20, 2014.
49. That on October 28, 2014, the CI testified under oath to a Cook County Grand Jury that after the transactions were completed he/she would meet with RESPONDENT and PO Rivlin and give RESPONDENT the cannabis on April 20, 2014.
50. That on October 28, 2014, the CI testified under oath to a Cook County Grand Jury that he/she never went into the target's residence to make the drug purchases on April 20, 2014.
51. That on October 28, 2014, the CI testified under oath to a Cook County Grand Jury that RESPONDENT called him/her and told him/her that he/she was going to be interviewed by someone in regards to the drug buys from the target which occurred on April 20, 2014.
52. That on October 28, 2014, the CI testified under oath to a Cook County Grand Jury that RESPONDENT told him/her to lie about dates and other matters related to the drug purchases from the target which occurred on April 20, 2014.

53. That on February 3, 2016, RESPONDENT was interviewed and provided an audio-recorded statement to investigators from the Cook County Sheriff's Office of Professional Review ("OPR").
54. That on February 3, 2016, RESPONDENT admitted to investigators from OPR that he was assigned to work the gang desk in Skokie on April 20, 2014.
55. That on February 3, 2016, RESPONDENT admitted to investigators from OPR that he was ordered to work the desk by Sgt. Olander and remain in the office on April 20, 2014.
56. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he submitted a memorandum dated March 25, 2014 to his supervisors stating he felt his life was being threatened by a gang.
57. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he did not know why the memorandum dated March 25, 2014 was not submitted to his supervisors until April 16, 2014.
58. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he tried to contact Lt. Rafferty about his disagreement with him being assigned to the desk but that he never spoke to Lt. Rafferty about it.
59. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he did not recall telling Sgt. Olander that the assignment was "wrong and is bullshit and I'm going to redo my memorandum."
60. That on February 3, 2016, RESPONDENT admitted to investigators from OPR that he left his assignment on April 20, 2014 because he and PO Rivlin were conducting controlled drug purchases that day.

61. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that on April 20, 2014 he contacted Sgt. Olander via telephone before he left his assignment to conduct the controlled drug buys.
62. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he did not know whether PO Rivlin knew that RESPONDENT was assigned to work the desk on April 20, 2014.
63. That on February 3, 2016, RESPONDENT admitted to investigators from OPR that the CI who participated in the controlled drug purchases on April 20, 2014 was his informant.
64. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that prior to the drug buys on April 20, 2014 he patted down the CI for contraband and checked his/her vehicle.
65. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that on April 20, 2014 he followed the CI to a residence to make the drug purchases and never lost sight of the CI.
66. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he observed the CI enter the target's apartment to make the drug purchase on April 20, 2014.
67. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he did not recall telling the FBI that his informant never entered the target's apartment to make the drug buys on April 20, 2014.

68. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he did not recall telling the FBI that did not pat down the CI before or after the drug buys on April 20, 2014.
69. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he did not lie on the affidavit he submitted on April 21, 2014 to obtain the search warrant for the target's apartment.
70. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he never told the FBI agents that he lied on previous affidavits for search warrants.
71. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he never told the FBI that he and PO Rivlin observed the target come out of his/her apartment to conduct the drug transactions in the CI's vehicle.
72. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he never told the FBI that PO Rivlin reviewed the search warrant affidavit and knew the information was false.
73. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he never lied to anyone and was not lying at the time of the OPR interview.
74. That on February 3, 2016, RESPONDENT stated to investigators from OPR that the report by the FBI agents was false and RESPONDENT falsely reported that he never made those statements to the FBI agents.
75. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he never testified in the court case against the target because he was never subpoenaed by the ASA.

76. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he did not know why he did not place the contraband found in his desk into evidence. Further, RESPONDENT stated that the proper CCSPD procedure would have been to take the contraband to Maywood and inventory it for destruction.
77. That on February 3, 2016, RESPONDENT stated to investigators from OPR that he did observe Paul Rivlin's photograph in a CCSPD gang book but denied tearing his picture out of the book and destroying it.
78. That on February 3, 2016, RESPONDENT falsely reported to investigators from OPR that he did not tell the FBI that he had torn Paul Rivlin's photograph out of the CCSPD gang book and destroyed it.
79. That on February 3, 2016, RESPONDENT admitted to investigators from OPR that he did submit for an hour of overtime on April 20, 2014 for the controlled drug buys and search warrant he worked on.
80. That RESPONDENT engaged in on and off-duty behavior that reflects negatively on the Cook County Sheriff's Office ("CCSO") and RESPONDENT'S conduct as alleged in paragraphs 5 through 79 was unbecoming of an officer of the CCSO.
81. That by his actions, RESPONDENT violated the Rules and Regulations of the Cook County Sheriff's Police Department and the Cook County Sheriff's Office, specifically:

SHERIFF'S ORDER 11.2.20.0 (effective date: January 25, 2013)

RULES OF CONDUCT, in its entirety, including but not limited to, the following subparts:

II. POLICY

The CCSO serves the citizens of Cook County by performing law enforcement functions in a professional manner, and it is to these citizens that the CCSO is ultimately responsible. Employees of the CCSO shall

conduct themselves in a professional and ethical manner both on and off duty. Employees shall not engage in activities that reflect unfavorably on the CCSO but shall instead serve to further the mission of service.

III. APPLICABILITY

This order is applicable to all employees of the CCSO and is for strict compliance. Any violations of this Sheriff's Order may result in disciplinary action up to and including termination. Any conflicts with existing directives shall be resolved in favor of this order.

VI. RULES AND REGULATIONS FOR ALL SWORN AND CIVILIAN CCSO EMPLOYEES

A. Compliance with Laws, Ordinances, and Regulations

- 1. Employees shall uphold the Constitutions of the United States and the State of Illinois, obey all federal, state and local laws in which jurisdiction the employee is present, and comply with court decisions and orders of courts having jurisdiction.**
- 2. Employees shall comply with lawful rules, Sheriff's Office written directives, verbal orders, SEAM articles, and political prohibitions issued by the proper authorities.**
- 3. Employees shall respect and protect the civil and legal rights of all individuals.**

B. Conduct on and off duty.

CCSO employees shall:

- 1. Maintain a professional demeanor while on duty and will not engage in off-duty behavior that would reflect negatively on the CCSO.**
 - 2. Conduct themselves on and off-duty in such a manner to reflect favorably on the CCSO. Employees, whether on or off-duty, will not engage in conduct which discredits the integrity of the CCSO, its employees, the employee him/herself, or which impairs the operations of the CCSO. Such actions shall constitute conduct unbecoming of an officer or employee of the CCSO.**
 - 4. Maintain a level of conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Employees will not participate in any incident that:**
 - a. Involves moral turpitude or impairs their ability to perform as law enforcement officers; or**
 - b. Causes the CCSO to be brought into disrepute.**
- C. Conduct toward superiors, associates, and subordinates.**
- CCSO employees shall:**
- 3. Promptly obey any lawful orders of a superior either written or oral. This will include orders relayed from a superior by a person of the same or lesser rank; or by a telecommunication via radio.**

4. Truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the CCSO which may be asked of them upon the order of the Sheriff, Undersheriff, or any superior.

D. Prohibited associations, establishments, and activities.

CCSO employees shall not:

24. Engage in any acts of willful forgery, falsification of documentation, including but not limited to applications or claims, computer tampering, identify theft, etc.
25. Fail to cooperate or fail to be truthful with external and/or internal agencies in an investigation of a criminal or civil matter.

E. Duty functions.

CCSO employees shall:

1. Maintain sufficient competence to properly perform the duties and responsibilities of their positions. Unsatisfactory performance shall not be allowed.
 - a. Employees shall perform their duties in a manner that will maintain high standards of efficiency and professionalism in carrying out the functions and objectives of the department.
 - b. Unsatisfactory performance may be demonstrated by:

- i. A lack of knowledge of the application of laws required to be enforced;
 - ii. A lack of knowledge of the rules and regulations of the CCSO;

H. Reporting violations.

- 4. Employees are prohibited from making a false report, written or oral.

I. Cooperation within the CCSO and with other agencies.

CCSO employees shall:

- 1. Truthfully answer all questions, provide proper materials, and provide truthful and relevant statements when the employee is involved in an investigation, either as the subject or not, as long as the employee's rights are preserved.
- 2. Not interfere with or obstruct any investigation by destroying, altering, concealing, or disguising real evidence, or by planting false evidence or furnishing false information to lawful authority.
- 3. Not induce a witness or any other person who has knowledge regarding any issue under investigation by the CCSO, or any other law enforcement agency, to make false statements, withhold information, conceal information, fail to appear, or otherwise fail to cooperate with lawful investigating authorities.

4. **Respect the importance of agencies within the criminal justice system and work to improve cooperation with each segment.**

SHERIFF'S ORDER 11.2.20.1 (effective: March 12, 2015)

CONDUCT POLICY, in its entirety, including but not limited to, the following subparts:

II. POLICY

Members of the CCSO shall conduct themselves in a professional and ethical manner both on and off duty. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning member conduct.

Every member is also subject to the provisions contained throughout this policy and applicable written directives, as well as any additional guidance on conduct that may be disseminated by the CCSO or the member's supervisors.

III. APPLICABILITY

This policy is applicable to all CCSO members. Any member found in violation of this policy may be subject to discipline, up to and including termination of employment, in accordance with any applicable collective bargaining agreements and state and federal statutes. Any conflict with existing collective bargaining agreements shall be resolved in favor of the applicable collective bargaining agreement.

IV. COMPLIANCE WITH ALL LAWS, ORDINANCES AND REGULATIONS

Members shall respect and protect the civil and legal rights of all individuals; uphold the constitution of the United States and the State of Illinois; obey all applicable federal, state and local laws; comply with court decisions and

orders of courts having jurisdiction; and comply with lawful rules, written or verbal orders, SEAM articles, policies and procedures issued by the CCSO or by any supervisor.

V. CONDUCT POLICY

A. The continued employment or retention of every CCSO member shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure of any member to meet the guidelines set forth in this policy, whether on-duty or off-duty may be cause for disciplinary action, up to and including termination.

VI. CONDUCT WHICH MAY RESULT IN DISCIPLINE

The following list of causes for disciplinary action constitutes a portion of the disciplinary standards of the CCSO. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for specific action or inaction that is detrimental to efficient service. Conduct which may result in discipline includes but is not limited to the following:

E. Performance

- 12. Knowingly making any false, misleading or malicious statement that may harm or destroy the reputation, authority or official standing of the CCSO or any member thereof.**
- 26. Any knowing or negligent violation of the provisions of policy, operating procedures or other written directive of an authorized supervisor. Members are responsible for reading**

and becoming familiar with the contents of applicable policies and procedures, and are responsible for compliance with the content contained therein.

- 30. Giving any false or misleading statement, or misrepresenting or omitting material information, to a supervisor or other person in a position of authority in connection with any investigation or in the reporting of any CCSO-related business.
- 43. Any other on- or off-duty conduct which a member knows or reasonably should know is unbecoming a member of the CCSO; which is contrary to good order, efficiency or morale; or which tends to reflect unfavorably upon the CCSO or its members.

**COOK COUNTY SHERIFF'S POLICE DEPARTMENT
GENERAL ORDER, G.O. NUMBER: ROC-00-01-A (effective date: April 3, 2001)
RULES AND REGULATIONS, in its entirety, including but not limited to, the following subparts:**

I. PURPOSE

This order provides for the issuance of Rules and Regulations as guidelines for Department activities. All officers and civilians of the Cook County Sheriff's Police Department will adhere to these policies and procedures.

II. POLICY

- B. The Rules and Regulations are necessary for the orderly and professional operation of this Department. Therefore, all members shall be completely familiar at all times with Department Rules and Regulations.

- C. Rules and Regulations prescribe the conduct and performance expected of every officer and civilian of the Department. Therefore, all members shall follow, and will be accountable for the CCSPD Rules and Regulations.**

ROC 00-01-A.1

I. AUTHORITY

AUTHORITY

- 1.3 Officers will uphold the Constitution of the United States and the State of Illinois, obey all federal, state and local laws and comply with court orders and decisions from courts having jurisdiction in Cook County.**

ROC 00-01-A.2

II. ORDERS

ORDERS

- 2.1 Members of the Department will strictly obey and properly execute any lawful order emanating from any ranking Officers who are their seniors. The term "lawful order" will be construed as an order in keeping with the performance of any duty prescribed by law, rule or regulation of the Department, or for the preservation of order, efficiency or proper discipline.**

INSUBORDINATION

- 2.7 Failure or deliberate refusal to obey a lawful order or ridiculing a superior or their orders will be considered insubordination.**

KNOWLEDGE OF RULES, ORDERS, PROCEDURES AND BULLETINS

2.16 Members will thoroughly familiarize themselves with the rules and procedures of the Department and the orders issued applicable to them. They will, upon return from any absence of any duration, familiarize themselves with all changes that may have taken place during such absence.

ROC 00-01-A.4

IV. COMMUNICATIONS AND CORRESPONDENCE

FALSE REPORTS

4.2 No member of the Department will make false official record(s), reports, or report any inaccurate, false or improper information.

TELEPHONES AND FAX MACHINES

4.11 All Officers and civilians operating the police radio and mobile data terminals, either from a mobile or portable unit, or in the Communications Section, will strictly observe regulations for such operations as set forth in Departmental orders, APCO manuals and by the Federal Communications Commission.

ROC 00-01-A.11

XI. PERSONNEL MATTERS

COURT MATTERS

11.13. No member will fail to testify or give evidence before any grand jury, medical examiner's inquest or court of law or before any governmental, administrative or investigative agency (city, state or federal) when properly called upon to do so.

11.14 No member will fail to cooperate when called to give evidence or statements related specifically, directly and narrowly to the performance of their official duties. If the member properly asserts a constitutional privilege, they will be required to cooperate if advised that any evidence or statements given, will not be used against them in a subsequent criminal prosecution.

ROC 00-01-A.12

XII. CONDUCT REGARDING THE PERFORMANCE OF DUTY

GENERAL DUTIES

12.1 Officers of the Department will be charged with the enforcement of all federal, state and local laws and ordinances, the preservation of the public peace, the protection of life and property, the prevention of crime and the detection and apprehension of violators of the law.

SPECIFIC DUTIES

12.5 All members of the Department will perform the specific duties and responsibilities assigned to them.

CONFORMITY TO RULES AND REGULATIONS

12.7 It will be the responsibility of every member of the Department to thoroughly familiarize themselves with the rules, regulations, Orders and policies of the Department, and to conform to and abide by the same. Each Officer must have a working knowledge of all laws and ordinances in force. Officers will observe all such laws and

ordinances and render service to the County with enthusiasm, courage, discretion and loyalty.

PERFORMANCE OF DUTY

12.9 Officers will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Any member of the Department who displays reluctance to properly perform his assigned duties, or who acts in a manner tending to bring discredit upon himself or the Department, or whose actions or performance in a position, rank or assignment are below acceptable standards, may be deemed incompetent and will be subject to dismissal from the Department.

RECOVERED PROPERTY

12.20 Members taking any property into custody in connection with their official duties will, as soon as practicable, record such property in the Department property log and secure the property in accordance with current Department General Orders.

ROC 00-01-A.13

XIII. PERSONAL CONDUCT

STANDARD OF CONDUCT

13.1 Members will conduct themselves on or off-duty in such a manner as to reflect favorably on the Department. Members will not engage in conduct which discredits the integrity of the Department or its employees or which impairs the operation of the Department.

XVI. VIOLATIONS AND DISCIPLINARY ACTION

SUMMARY OF ACTIONS SUBJECT TO DISCIPLINE

16.10 Failure to comply with Departmental Policy, Procedures and Orders will subject the member to Summary discipline. This list does not include all possible violations contained in the Rules and Regulations:

16.11 Violation of any Federal or State law, County or Municipal ordinance.

16.14 Conduct unbecoming a member of the Department.

16.16 Neglect or disobedience o[f] orders.

16.17 Insubordination or disrespect to a superior.

16.19 Failure to obey a lawful order.

16.20 Violation of a direct order of a superior.

16.21 Violation of Departmental general or special orders.

16.22 Any other act or omission contrary to good order and discipline of the Department.

82. Furthermore, the RESPONDENT's actions violated the Rules and Regulations of the County Sheriff's Merit Board, specifically:

COOK COUNTY SHERIFF'S DEPARTMENT MERIT BOARD RULES AND REGULATIONS, in its entirety, including, but not limited to, the following subparts:

Article X, Paragraph B

No Police Officer, Police Sergeant, Police Lieutenant of the Cook County Sheriff's Police Department, Correctional Officer, Correctional Sergeant, Correctional Lieutenant, Correctional Captain of the Cook County

**Department of Corrections or Deputy Sheriff, Deputy Sergeant, Deputy
Lieutenant of the Cook County Sheriff's Court Services Department will:**

- 1. Violate any Law or Statute of any State or of the United States
of America.**
- 2. Violate any Ordinance of any County or Municipal
Government.**
- 3. Violate any of the Sheriff's Executive Orders, General Orders,
Special Orders, Directives, Rules and Regulations of the Cook
County Sheriff's Department or Cook County Sheriff's Merit
Board Rules and Regulations.**

WHEREFORE, THOMAS J. DART, Sheriff of Cook County, maintains that the
RESPONDENT, by his conduct, has violated the Rules and Regulations of the Cook County
Sheriff's Merit Board, and respectfully requests this Board to hold a hearing on the charges as set
forth in the complaint, pursuant to statute, and on proof of said charges, or any part thereof, the
Board shall make a finding of guilty and order the RESPONDENT removed from the Cook
County Sheriff's Office.

Dated this 25 day of May, 2016, at Chicago, Illinois

Thomas J. Dart
By: Zilda W

Thomas J. Dart

Sheriff of Cook County